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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/771,284 Confirmation No.: 3238  
Applicant : Richard ASSAKER et al.  
Filed : February 5, 2004  
Title : BONE PLATE ASSEMBLY  
TC/Art Unit : 3731  
Examiner: Unknown  
  
Docket No. : 64118.000046  
Customer No. : 21967

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

In response to the Notice of Non-Compliant Amendment dated February 4, 2005, Applicants respectfully request reconsideration of the requirement to submit a preliminary amendment. More specifically, the Notice of Non-Compliant Amendment requests Applicants to submit the continuing data separately from the transmittal letter in a preliminary amendment. However, the continuing data was included in the first paragraph of the application as originally filed. Accordingly, Applicants believe that no preliminary amendment is necessary for the purpose of adding continuing data. Applicants confirmed that no preliminary amendment is necessary for this purpose in a telephone conversation with Legal Instruments Examiner Rosalind Smith on February 15, 2005. Please disregard the recitation of continuing data in paragraph 15 of the transmittal letter accompanying the original application.

If there are any questions regarding this Response or the application in general, please contact the undersigned at the telephone number listed below.

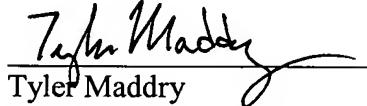
It is believed that no fee is required for submission of this Response. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: February 17, 2005

By:

  
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P.O. Box 1450  
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**PRELIMINARY AMENDMENT**

Sir:

Prior to examination in the above-referenced application, please make the following amendments:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.